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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/332,846	06/14/1999	GEORGE W. LANDRY	MPS/30	3404

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EXAMINER

ALVAREZ, RAQUEL

ART UNIT

PAPER NUMBER

2162

DATE MAILED: 11/27/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/332,846

Applicant(s)

LANDRY, GEORGE W.

Examiner

Raquel Alvarez

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 August 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 42-56 and 74-88 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 42-56 and 74-88 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. Claims 42-56 and 74-88 are presented for examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 42-56, and 74-88 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawlor in view of Pickering(5,483,445 hereinafter Pickering).

With respect to claims 42, 43, 46-49, 55, 74, 75, 78, 79, 80, 81, 87 Lawlor teaches a bill paying system (Abstract); storage for payee information (Figures 2, 12-14 and col. 20, lines 66-67; col. 33, lines 3-22); storage for payor information, the payor information identifying one or more payees authorized by the payor to receive transfers of funds from the payor, and including control parameters defining the manner in which transfers of funds are to be performed (col. 33, lines 3-7 and the customer pre-selects the bank account wherein the money can be transferred from)(figure 22); a payee communications interface receiving for use by the system, bill data from a payee(i.e. the payor gets a bill for a certain amount due on a certain day and then he enters the payee information into the system, the customer is inputting data that came from the payee therefore the system is receiving data from a payee)(col. 10, lines 66-68); the date of the transfer for at least one bill being determined absent payor intervention based on at least one bill data for the bill, stored payor information and stored payee information,

without regard to the due dates of other payees (i.e. Lawlor allows for periodic payments based based on payor's information. The payor inputs the beginning date and the period based on the bill information(weekly, monthly...) for the bills and then the computer actually calculates the date for payment by itself, the calculation itself being done absent any intervention based on the beginning date and the period(see col. 46, lines 31+).

With respect to generating an electronic transfer message when transferring funds from a payor to a payee. Pickering teaches a funds interface generating an electronic funds transfer messages to the payee and to the payor (col. 8, lines 1-23). It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have sent an electronic transfer message to the consumer and/or merchant of Lawlor because such a modification would confirm the transaction to the parties involved.

Claims 50 and 82 recite that the payee is identified by an identifier. Lawlor teaches identifying a payee by name (col. 10, lines 66-68). Lawlor does not specifically teach identifying a payee by an identifier. Official notice is taken that is old and well known to use identifier for bearing identifying information. It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have included using a payee identifier because such a modification would provide a faster easier, more reliable way of identification.

Claims 51 and 83 further recite that the stored payor information includes a financial account number that corresponds to a government account. It is obvious and

well known for payor to make payments to government's entity as part of a court order or the like. It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have included a financial account number that corresponds to a government account because such a modification would allow expansion of the system.

With respect to claims 52 and 84, Lawler further teaches storage for bill records corresponding to generated electronic funds transfer messages (Figures 13-21); a payer communication interface presenting stored bill records to a payer so that a payer may review an account of fund transfer activity (Figures 13-21).

Claims 53-54 and 85-86 further recite receiving a reversal from a payer corresponding to a reverseable stored bill record and reversing the of transferring funds that corresponds to the identified reverseable bill record if the reverse request it's received within the provisional time period.

Since, Lawlor teaches that the payor can review and revised previously paid bills (see Figure 17A) then it would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have included reversing the transfer of funds to reflect the reversal action.

With respect to allowing the reversal if it falls within the provisional time period. It is old and well known for companies to have a tentative period in which the customers can make changes or cancellations. It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have included allowing

the reversal of the payments if it falls within the provisional time period because such a modification would allow better control of the transaction taken place.

With respect to claims 56 and 88, Lawlor further teaches modifying the payee information for the payee in response to the content of the payee control message (i.e. the information for the payee can be reviewed, revised and modified)(Figures 13-21).

Claims 44 and 76 further recite preventing transfer of funds which exceeds the maximum amount specified by the payor. Lawlor teaches that the payor sets the actual payments amounts and since it is old and well known in the computer related arts to have systems in which an error message is generated to let the user know that the system has encounter a problem and that it cannot proceed then it would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have prevent transfer of funds if the amount does not correspond to the amount specified by the payor because such a modification would avoid unspecified transactions.

Claims 45 and 77 further recite preventing transfer of funds which exceeds the minimum date specified by the payor (i.e. the payor establishes the time frame of when the transfer can take place) therefore a minimum date is set of when the transfer of fund can be and can not be processed.

Point of contact

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raquel Alvarez whose telephone number is (703)305-0456. The examiner can normally be reached on 9:00-5:00.


Application/Control Number: 09/332,846
Art Unit: 2162

Page 6

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric w Stamber can be reached on (703)305-8469. The fax phone numbers for the organization where this application or proceeding is assigned are (703)746-7239 for regular communications and (703)746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

R.A.
November 13, 2001


ERIC W. STAMBER
PRIMARY EXAMINER